

FILED
U.S. DISTRICT COURT
UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

2002 FEB 14 A 11:45

Chambers of
BENSON EVERETT LEGG
United States District Judge

101 West Lombard Street
Baltimore, Maryland 21201
(410) 962-0723

February 13, 2002

MEMORANDUM TO COUNSEL RE: Channel Coleman v. State of Maryland,
Department of Public Safety and Correctional
Services, et al.
Civil #L-00-360

Dear Counsel:

On February 26, 2002, at 2:00 p.m., the Court will hold an in-court hearing regarding the following issues.

- (i) Why Rule 11 sanctions should not be imposed against Plaintiff's counsel for maintaining that an employee may sue her supervisor under Title VII, when the 4th Circuit Court of Appeals clearly held in Lissau v. Southern Food Service, Inc., 159 F.3d 177, 180-81 (4th Cir. 1998), that a supervisor is not an "employer" and therefore may not be sued under Title VII.
- (ii) Whether Plaintiff may bring a claim pursuant to 42 U.S.C. §1983 for sexual harassment against Defendant Captain Carter.
- (iii) Whether Plaintiff may bring a Title VII claim against her employer, the Department of Public Safety and Correctional Services, based upon the hostile work environment allegedly created by Captain Carter.
- (iv) On July 27, 2001, Plaintiff filed a Motion for Reinstatement of her claim of intentional infliction of emotional distress against Captain Carter. Plaintiff shall provide the Court with citations to cases in which Maryland courts have permitted a claim of intentional infliction of emotional distress in circumstances similar to those stated in the Complaint.

In preparation for the hearing, by February 19, 2002, Plaintiff's counsel shall file a memorandum of no more than five pages addressing the aforementioned issues. Defense counsel shall file a response by February 25, 2002.

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Despite the informal nature of this memorandum, it shall constitute an Order of Court and the Clerk is directed to docket it accordingly.

Very truly yours,

A handwritten signature in black ink, appearing to read "B. Legg". The signature is fluid and cursive, with a large initial "B" and a stylized "L" followed by "egg".

Benson Everett Legg

c: Court file